

§ 1955.81

this program should be referred by State Offices to the Single Family Housing Servicing and Property Management (SFH/SPM) Division in the National Office.

[54 FR 20523, May 12, 1989, as amended at 60 FR 34455, July 3, 1995]

§§ 1955.73—1955.80 [Reserved]

§ 1955.81 Exception authority.

The Administrator may, in individual cases, make an exception to any requirement or provision of this subpart, or address any omission of this subpart which is not inconsistent with the authorizing statute or other applicable law, if the Administrator determines that the Government's interest would be adversely affected or the immediate health and/or safety of tenants or the community are endangered if there is no adverse effect on the Government's interest. The Administrator will exercise this authority upon request of the State Director with the recommendation of the appropriate program Assistant Administrator or upon a request initiated by the appropriate program Assistant Administrator. Requests for exceptions must be made in writing and supported with documentation to explain the adverse effect, propose alternative courses of action, and show how the adverse effect will be eliminated or minimized if the exception is granted.

[53 FR 35765, Sept. 14, 1988, as amended at 58 FR 58649, Nov. 3, 1993]

§ 1955.82 State supplements.

State supplements will be prepared with the assistance of OGC as necessary to comply with State laws or only as specifically authorized in this regulation to provide guidance to FmHA or its successor agency under Public Law 103-354 officials. State supplements applicable to MFH must have prior approval of the National Office; others may receive post approval. Requests for approval for those affecting MFH must include complete justification, citations of State law, and an opinion from OGC.

7 CFR Ch. XVIII (1-1-97 Edition)

§§ 1955.83—1955.99 [Reserved]

§ 1955.100 OMB control number.

The collection of information requirements in this regulation have been approved by the Office of Management and Budget and assigned OMB control number 0575-0110.

EXHIBITS TO SUBPART B

All exhibits are available in any FmHA or its successor agency under Public Law 103-354 County Office. Exhibit B is also published in the Code of Federal Regulations.

EXHIBIT A—MEMORANDUM OF UNDERSTANDING BETWEEN THE FEDERAL EMERGENCY MANAGEMENT AGENCY AND THE FARMERS HOME ADMINISTRATION OR ITS SUCCESSOR AGENCY UNDER PUBLIC LAW 103-354

EXHIBIT B—NOTIFICATION OF TRIBE OF AVAILABILITY OF FARM PROPERTY FOR LEASE OR PURCHASE

(To Be used by FmHA or its successor agency under Public Law 103-354 To Notify Tribe of Leaseback/Buyback)

From: County Supervisor

To: (Name of Tribe and address)

Subject: Availability of Farm Property for Lease or Purchase

[To be used After 190-Day Period Has Expired]

Recently Farmers Home Administration or its successor agency under Public Law 103-354 (FmHA or its successor agency under Public Law 103-354) acquired title to _____ acres of farm real property located within the boundaries of your Reservation. The previous owner of this property was _____. We have advised the previous owner of leaseback/buyback rights and in the event the previous owner, previous owner's spouse, or children do not enter into a lease or purchase agreement by (enter the date 190 days after the date of acquisition), the property will be available to lease or purchase to persons who are members of your tribe, an Indian Corporate entity, or the tribe itself. Our regulations provide for those three distinct priority categories which may be eligible; however, you may revise the order of the priority categories and may restrict the eligibility to one or any combination of categories. Following is a more detailed description of these categories:

1. Persons who are members of your Tribe. Individuals so selected must be able to meet the eligibility criteria for the purchase and/or lease of Government inventory property